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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/248,736	02/11/99	BLEIZEFFER	T ST998029

JANAKI KOMANDURI  
ENCRYPTIX, INC.  
101 N. SEPULVEDA BLVD.  
EL SEGUNDO CA 90245

TM31/0712

EXAMINER

LE, D

ART UNIT

PAPER NUMBER

2177

DATE MAILED: 07/12/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

**UNITED STATES DEPARTMENT OF COMMERCE****United States Patent and Trademark Office**

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09/248,736 02/11/99 BLEIZEFFER

T ST998029

EXAMINER
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TM02/0605

JANAKI KOMANDURI  
MERCHANT GOULD SMITH EDELL  
WELTER & SCHMIDT  
11150 SANTA MONICA BOULEVARD SUITE 400  
LOS ANGELES CA 90025-3395

LE.D	
ART UNIT	PAPER NUMBER

2177  
DATE MAILED:

06/05/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

SM

# Office Action Summary

Application No.

09/248,736

Applicant(s)

BLEIZEFFER ET AL.

Examiner

Debbie M Le

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 11 February 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-63 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 18) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 6-22, 26-43, 46-63 are rejected under 35 U.S.C. 102(b) as being anticipated by Kiernan et al (US Patent 5,701,137).

As per claim 1, Kiernan discloses a system for displaying a tree structure for representing hierarchical data in programmed computer comprising:

selecting one or more objects on the original tree to be contained in the customized tree in response to user input; linking the selected objects in a user-specified manner (fig. 8b, col. 3, lines 1-8, col. 6, lines 26-61).

As per claim 6, Kiernan teaches the step of modifying the customized tree (col. 10, lines 57-60)

As per claim 7-8, Kiernan teaches the step of modifying further comprising the step of adding, removing an object to the customized tree (col. 10, lines 61-44).

As per claim 9, Kiernan teaches the step of modifying further comprises the step of copying an object into the customized tree (col. 10, lines 41-48).

As per claim 10, Kiernan teaches the step of modifying further comprises the step of copying an object from a first position in the customized tree to a second position in the customized tree (col. 10, lines 49-53).

As per claim 11, Kiernan teaches wherein the step of modifying further comprises the step of removing the customized tree (col. 11, lines 8-30).

As per claim 12, Kiernan teaches wherein the step of modifying further comprises the step of changing an object (col. 10-11, lines 61-8).

As per claim 13, Kiernan teaches the step of using the customized tree to simultaneously perform an action on multiple objects contained in the customized tree (col. 1-, lines 49-53).

As per claim 14, Kiernan teaches a step of restricting access to the customized tree (col. 9-10, lines 55-20).

As per claim 15-17, Kiernan teaches a step of enabling customization of labels for objects in the customized tree; each label distinguishes between different objects of similar type; each label is an indicator of a filter (col. 7, lines 38-65, col. 8, lines 27-42).

As per claim 18, Kiernan teaches a step of providing graphical user interfaces for creating the customized tree and wherein the user input is received from one or more graphical user interfaces (col. 5-6, lines 25-4).

As per claim 19, Kiernan teaches the customized tree contains a subset of the object of the original tree (8a-8b, col. 9-10, lines 9-48).

As per claim 20, Kiernan teaches the objects of the customized tree are organized in a user-specified manner (col. 10, lines 54-66).

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As per claim 21, Kiernan teaches the step of creating multiple customized tree (col. 10, lines 50-53).

Claims 22 and 43 are rejected by the same rationale as stated in independent claim 1 argument.

Claims 26-42, 46-63 have similar limitations as claim 6-21; therefore, they are rejected by the same rationale.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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4. Claims 2-5, 23-25 and 44-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kiernan as applied to claims above, in view of Eick et al (US Patent 5,912,664).

As per claim 2, Kiernan does not explicitly teach creating a filter for the selected object in response to user input, wherein the filter specifies a selection criteria to select objects to be contained within the selected object on the customized tree; and applying the filter to create the customized tree with the selected object and the objects to be contained within the selected object. However, Eick's invention discloses the step of creating a filter for the selected object in response to user input and apply the filter to the information being displayed (col. 4-6, lines 63-20, col. 7, lines 19-24). Thus, it would have been obvious to one of ordinary skills in the art at the time the invention was made To combine the teachings of Kiernan with Eick to implement the filtering's step and apply the filter because it would allow a user to select a subset of the large group in order to arrive at a screen display with sufficiently small number of items and sufficiently legible description of each item to prove a view with an opportunity to make a reasoned selection therefrom, i.e, for the purpose of updated or deleted as part of file maintenance.

As per claim 3, Eick teaches the step of applying the filter further comprises the step of selecting objects from multiple parent objects (abstract, col. 4, lines 63-66).

As per claim 4, Kiernan teaches the multiple parent objects are contained on multiple platforms (col. 4, lines 44-58, col. 5, lines 3-12).

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As per claim 5, Kiernan teaches if the objects to be selected by the filter change, the customized tree is automatically updated to reflect the changed objects (col. 3, lines 6-11).

Claims 23-25 and 44 are rejected by the same rationale as stated in claim 3-5 arguments.

As per claim 45, Kiernan does not explicitly teach the step of applying the filter further comprises the step of selecting objects from multiple parent objects. However, Eick teaches the step of applying the filter further comprises the step of selecting objects from multiple parent objects (abstract, col. 4, lines 63-66). Thus, it would have been obvious to one of ordinary skills in the art at the time the invention was made to combine the teachings of Kiernan with Eick to implement the filtering's step because it would allow a user to select a subgroup of the large data items in order to arrive at a screen display with sufficiently small number of items and sufficiently legible description of each item to provide a view with an opportunity to make a reasoned selection therefrom.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.



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If a reference *indicated as being mailed* on PTO-FORM 892 has not been enclosed in this action, please contact Macia Fletcher whose telephone number is (703) 305-4903 for faster service.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debbie M Le whose telephone number is (703) 308-6409. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5357 for regular communications and (703) 308-5357 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



Debbie Le  
May 29, 2001



JOHN BREENE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

<b>Notice of References Cited</b>	Application/Control No. 09/248,736	Applicant(s)/Patent Under Reexamination BLEIZEFFER ET AL.	
	Examiner Debbie M Le	Art Unit 2177	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification	
	A	US-5912664-	06-1999	EICK ET AL	345	327
	B	US-5701137-	12-1997	KIERNAN ET AL	345	340
	C	US-6003040-	12-1999	MITAL ET AL	707	103
	D	US-6119122-	09-2000	BUNNELL	707	102
	E	US-6002865-	12-1999	THOMSEN	707	3
	F	US-6072490-	06-2000	BATES ET AL	345	347
	G	US-5493678-	02-1996	ARCURI ET AL	707	1
	H	US-6133914-	10-2000	ROGERS ET AL	345	334
	I	US- -				
	J	US- -				
	K	US- -				
	L	US- -				
	M	US- -				

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification	
	N	- -					
	O	- -					
	P	- -					
	Q	- -					
	R	- -					
	S	- -					
	T	- -					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.